

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, JUNE 22, 2017**

Invocation: Mark Graham, Mobile Loaves and Fishes

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, June 22, 2017 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:09 a.m. Council Member Troxclair was absent.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council regular meeting of June 8, 2017, work session of June 13, 2017, special called of June 14, 2017 and regular meeting of June 15, 2017.
The minutes from the City Council regular meeting of June 8, 2017, work session of June 13, 2017, special called of June 14, 2017 and regular meeting of June 15, 2017 were approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.
2. Authorize negotiation and execution of a 15-year power purchase agreement (with a qualified respondent) for the full output of electricity from a 200 megawatt utility-scale wind-generation facility, in an amount not to exceed \$17,500,000 per year, for a total amount not to exceed \$262,500,000.
The motion authorizing negotiation and execution of a 15-year power purchase agreement with a qualified respondent was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

Item 3 was pulled for discussion.

4. Approve issuance of a rebate to Lodge at Stone Oak Ranch, LLC, for performing energy efficiency improvements at the Lodge at Stone Oak Ranch Apartments located at 5400 West Parmer Lane, in an amount not to exceed \$228,317 (District 6).
The motion approving issuance of a rebate to Lodge at Stone Oak Ranch, LLC was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

5. Approve issuance of a rebate to Silver Tree Residential, LLC, for performing energy efficiency improvements at the Travis Park Apartments located at 1100 E. Oltorf St., in an amount not to exceed \$124,333 (District 9).
This item was withdrawn on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.
6. Approve issuance of a rebate to Matt Albrecht, for performing energy efficiency improvements at the Avalon Palms Apartments located at 9001 and 9300 Northgate Blvd., in an amount not to exceed \$121,849 (District 4).
The motion approving issuance of a rebate to Matt Albrecht was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.
7. Approve issuance of a rebate to Texas Facilities Commission, for performing energy efficiency improvements at 1100 West 49th Street, in an amount not to exceed \$96,809. (District 9)
The motion approving issuance of a rebate to Texas Facilities Commission was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

Item 8 was pulled for discussion.

9. Authorize award and execution of a construction contract with FORSYTHE BROTHERS INFRASTRUCTURE LLC, for the Campus Signage Improvements project in the amount of \$254,300 plus a \$25,430 contingency for a total contract amount not to exceed \$279,730. (District 2) (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 4.33% MBE and 1.55% WBE subcontractor participation.)
The motion authorizing award and execution of a construction contract with Forsythe Brothers Infrastructure LLC was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.
10. Authorize execution of a construction contract with PEABODY GENERAL CONTRACTORS, INC. for the 2017 Facilities and Force Main Services Indefinite Delivery/Indefinite Quantity project for an amount of \$5,000,000 for an initial 12-month term, with two one-year extension options of \$5,000,000 each, for a total contract amount not to exceed \$15,000,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 4.73% MBE and 2.14% WBE participation.)
The motion authorizing execution of a construction contract with Peabody General Contractors, Inc. was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.
11. Authorize award and execution of a construction contract with SANTA CLARA CONSTRUCTION LTD, for the Tanglebriar System Improvements project in the amount of \$833,225 plus a \$83,322.50 contingency, for a total contract amount not to exceed \$916,547.50. (District 6) (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 81.01% MBE and 1.14% WBE participation.)

The motion authorizing award and execution of a construction contract with Santa Clara Construction LTD was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

12. Authorize award and execution of a construction contract with SANTA CLARA CONSTRUCTION, LTD, for the Blocks 2 & 4 Odor Abatement project in the amount of \$634,220 plus a \$95,133 contingency, for a total contract amount not to exceed \$729,353. (District 9) (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 85.15% MBE and 1.54% WBE participation.)

The motion authorizing award and execution of a construction contract with Santa Clara Construction, LTD was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

13. Authorize the use of the design-build procurement method in accordance with Texas Government Code Chapter 2269 for design and construction services for the Austin Convention Center warehouse and marshalling yard. (Notes: MBE/WBE goals will be established prior to issuance of this solicitation.)

The motion authorizing the use of the design-build procurement method was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

Item 14 and 15 were pulled for discussion.

16. Approve an ordinance authorizing the issuance and sale of tax-exempt City of Austin, Texas Water and Wastewater System Revenue Refunding Bonds, Series 2017, in a par amount not to exceed \$350,000,000, in accordance with the parameters set out in the ordinance, authorizing related documents, approving the payment of the costs of issuance, and providing that the issuance and sale be accomplished by December 29, 2017.

Ordinance No. 20170622-016 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

17. Approve an ordinance accepting grant funds from the Texas Department of Public Safety, and amending the Fiscal Year 2016-2017 Operating Budget Special Revenue Fund (Ordinance No. 20160914-001) in the amount of \$1,547,397 for the following departments: Austin Energy, Austin Resource Recovery, Aviation, Management Services, Parks and Recreation, and Watershed Protection for repairs to City facilities and replacement of City property damaged or destroyed by the flooding of May and October 2015; and amending the Fiscal Year 2016-2017 Capital Budget (Ordinance No. 20160914-002) to transfer in and appropriate \$1,237,994 for Austin Resource Recovery and Austin Water for repairs to City facilities and replacement of City property damaged or destroyed by the flooding of May and October 2015.

Ordinance No. 20170622-017 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

18. Approve an ordinance amending the Fiscal Year 2016- 2017 Human Resources Department Operating Budget Special Revenue Fund (Ordinance No. 20160914-001) to accept and appropriate an additional \$26,700 in grant funds from the Quality of Life Foundation for the Emerging Leader Summer Internship Program which provides paid internships for Austin area youth.

Ordinance No. 20170622-018 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

19. Approve a resolution appointing Mark Washington, Assistant City Manager, to the Board of Directors of Austin Convention Enterprise, Inc.
Resolution No. 20170622-019 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.
20. Approve a resolution amending Resolution No. 20170518-015 regarding the Procedures for City Council Meetings, Public Hearings, and Appeals relating to general citizen communication registration.
Resolution No. 20170622-020 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.
21. Authorize negotiation and execution of an encroachment agreement with Austin 20 Hotel, LLC for aerial encroachments of East Cesar Chavez Street and Trinity Street by cantilevered overhead enclosed building spaces and a subsurface encroachment of East Cesar Chavez Street for an underground parking garage, located at 306 - 316 East Cesar Chavez Street (District 9).
The motion authorizing negotiation and execution of an encroachment agreement with Austin 20 Hotel, LLC was approved on consent with the following additional conditions listed below on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

The additional conditions were:

- Subject to approval by the Austin Transportation Department, the applicant would fund a traffic control law enforcement officer to help direct traffic in and out of the Four Seasons during peak hour trips;
 - Commit to shortening the duration of the land closure to 25 months and use reasonable efforts to shorten it to 18 months;
 - Commit to no illuminated signage on the roof top parapet facing the Four Seasons;
 - Use reasonable efforts to mitigate for dust and debris during construction, including providing a budget for cleanup and air filter replacement on the Four Season Residences intake;
 - Provide a cell phone contact for the White Lodging representative for Four Seasons residents to use in the event of a construction issue;
 - White Lodging representatives will be available for periodic meetings with the Four Seasons residents;
 - Any outdoor facilities at the hotel will comply with city's sound ordinance;
 - The air conditioning equipment will be screened from view from the Four Seasons; and
 - After the hotel is up and operating, if that driveway is blocking traffic on Cesar Chavez, the applicant agrees to enter back into conversations with the Transportation Department about the design of the driveway.
22. Authorize negotiation and execution of Amendment No. 2 to the 37-month agreement with ANY BABY CAN OF AUSTIN, INC. to increase funding in an amount not to exceed \$72,486 for the current contract period ending September 30, 2018, and increase funding for the remaining three 12-month extension options in an amount not to exceed \$36,243 per extension option, for a total contract amount not to exceed \$9,635,853.
The motion authorizing negotiation and execution of amendment number two to the agreement with Any Baby Can of Austin, Inc. was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

23. Approve an ordinance amending City Code Chapter 10-6 relating to electronic smoking devices.
Ordinance No. 20170622-023 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.
24. Approve an ordinance amending City Code Chapters 10-4 and 10-11 relating to electronic smoking devices and updating the name of the Austin Public Health Department.
Ordinance No. 20170622-024 was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.
25. Authorize negotiation and execution of an interlocal agreement with the Texas Department of Transportation for relocation of, and adjustments to, existing City water and wastewater lines and appurtenances that are in conflict with planned improvements to IH-35 under the TxDOT IH-35 Mobility Roadway Improvements project from Rundberg Lane to US 290, in an amount not to exceed \$586,904.10. (District 4)
The motion authorizing negotiation and execution of an interlocal agreement with the Texas Department of Transportation was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.
26. Authorize negotiation and execution of a contract through the Texas Local Government Purchasing Cooperative, administered by the Texas Association of School Boards, Inc. (BuyBoard) with GT DISTRIBUTORS INC., for the purchase of night vision goggles and helmet mounts, in an amount not to exceed \$96,300. (Notes: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)
The motion authorizing negotiation and execution of a contract through the Texas Local Government Purchasing Cooperative, administered by the Texas Association of School Boards, Inc. (BuyBoard) with GT Distributors Inc. was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.
27. Authorize negotiation and execution of a 36-month contract through the State of Texas Department of Information Resources cooperative purchasing program with CARAHSOFT TECHNOLOGY CORP., to provide ServiceNow products, services and software including maintenance and support, in an estimated amount of \$4,387,556, with two 12-month extension options in an estimated amount of \$1,314,747 per extension option, for a total contract amount not to exceed \$7,017,050. (Notes: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established. June 19, 2017 – Recommended by the Electric Utility Commission on an 8-0 vote, with Commissioners Boyle and Zell absent and one vacancy.)
The motion authorizing negotiation and execution of a contract through the State of Texas Department of Information Resources cooperative purchasing program with Carahsoft Technology Corp. was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.
28. Authorize execution of a contract with LIBERTY MUTUAL INSURANCE GROUP for the Rolling Owner Controlled Insurance Program VII insurance carrier, and to reallocate \$5,008,646

of the amount previously authorized by Council. (Notes: The previous solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for the previous solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)

The motion authorizing execution of a contract with Liberty Mutual Insurance Group was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

29. Authorize negotiation and execution of a contract with SICK, INC. to provide an upgrade to the baggage handling system at Austin-Bergstrom International Airport, in an amount not to exceed \$125,154. (Notes: Sole Source contracts are exempt from the City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established.)

The motion authorizing negotiation and execution of a contract with Sick, Inc. was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

Item 30 was pulled for discussion.

31. Authorize negotiation and execution of a 24-month contract with ASPLUNDH TREE EXPERT CO., or one of the other qualified offerors to Request For Proposals TVN0061, to provide energized transmission line clearance services in an amount of \$6,000,000, with three 12-month extension options in an amount of \$2,500,000 per extension option, for a total contract amount not to exceed \$13,500,000. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program and subcontractor goals were applied to the solicitation. The subcontracting goals were met and the resulting contract will include 4.21% MBE and 1.86% WBE participation.)

The motion authorizing negotiation and execution of a contract with Asplundh Tree Expert Co. was approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

32. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members; and amendments to board and commission bylaws.

The following appointments and certain related waivers were approved on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

Board/Nominee

Ethics Review Commission

Luis Soberon

Ethics Review Commission

Mary Kahle

Planning Commission

Angela De Hoyos Hart

Nominated by

Council Member Casar

Council Member Alter

Mayor Adler

Planning Commission

Stephen Oliver

Mayor Adler

Planning Commission

James Shieh

Mayor Adler

Planning Commission

Karen McGraw

Mayor Pro Tem Tovo

Planning Commission

Patricia Seeger

Council Member Alter

Planning Commission

Jose Vela

Council Member Casar

Planning Commission

Greg Anderson

Council Member Flannigan

Planning Commission

Trinity White

Council Member Houston

Planning Commission

Nuria Zaragoza

Council Member Pool

Planning Commission

Jeffrey Thompson

Council Member Renteria

South Central Waterfront Advisory Board

Brett Smith

Bouldin Creek Neighborhood Association

Waivers

Approve a waiver of the filing deadline for the statement of financial information as prescribed in Sections 2-1-25 and 2-7-72 of the City Code and establishing a new deadline of Monday, July 31, 2017 for the following members:

James Shieh	Planning Commission
Stephen Oliver	Planning Commission
Michael Clark-Madison	Urban Renewal Board
Nicole Sunstrum	Urban Renewal Board
Parisa Fatehi	Urban Renewal Board
Jana Ortega	Urban Renewal Board
Melissa Blanding	Water and Wastewater Commission
Sunil Lavani	Zoning and Platting Commission

Approve a waiver under Section 2-1-27(E) of the City Code of the training deadline established by Section 2-1-23(B) of the City Code for the following persons appointed to a City board if the person completes the training required by Section 2-1-23 on or before July 28, 2017.

Raul Alvarez	Early Childhood Council
Katie Halloran	Design Commission
Emily Hibbs	Historic Landmark Commission
Oren Rosenthal	Music Commission
James Duncan	Zoning and Platting Commission

Item 33 was pulled for discussion.

34. Approve a resolution relating to the compensation and benefits for the Interim City Manager. (Notes: SPONSOR: Mayor Steve Adler CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Leslie Pool CO 3: Council Member Alison Alter)

Resolution No. 20170622-034 was approved as amended below on consent on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

An amendment to revise the resolution to include the effective date of June 25, 2017 and the annual acting salary of \$300,804.40 was made by Mayor Adler. The amendments were accepted without objection.

Item 35 was pulled for discussion.

36. Approve a resolution directing the City Manager to develop a pilot program for use of a card entry system at certain recreation centers. (Notes: SPONSOR: Council Member Delia Garza CO 1: Council Member Gregorio Casar CO 2: Council Member Leslie Pool CO 3: Mayor Pro Tem Kathie Tovo CO 4: Council Member Sabino "Pio" Renteria)

Resolution No. 20170622-036 was approved on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

37. Approve an ordinance waiving or reimbursing certain fees for the Koblenz Sister City Week in Austin, sponsored by the Austin-Koblenz Sister Cities Committee, which was held Thursday, May 25, 2017 at Zilker Park. (Notes: SPONSOR: Council Member Alison Alter CO 1: Council Member Sabino "Pio" Renteria CO 2: Council Member Leslie Pool CO 3: Mayor Pro Tem Kathie Tovo CO 4: Council Member Ann Kitchen)

Ordinance No. 20170622-037 was approved on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

38. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the Impeachment March Austin, sponsored by Texas State Representative Donna Howard, which will be held July 2, 2017 at the State Capitol. (Notes: SPONSOR: Council Member Sabino "Pio" Renteria CO 1: Council Member Ora Houston CO 2: Council Member Delia Garza CO 3: Council Member Ann Kitchen)

The motion approving the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the Impeachment March Austin was approved on consent on Council Member Garza's motion, Council Member Casar's second on an 8-1 vote. Council Member Flannigan voted nay. Council Member Houston abstained. Council Member Troxclair was absent.

Direction was given to staff without objection to include an additional \$200 towards the fee waiver by Council Member Alter.

39. Approve an ordinance waiving or reimbursing certain fees for the Big Pink Bus event, sponsored by the Trinity Center, which will be held Monday, August 7, 2017 at Trinity and Seventh Streets. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Sabino "Pio" Renteria CO 2: Council Member Leslie Pool CO 3: Mayor Steve Adler)
Ordinance No. 20170622-039 was approved on Council Member Garza's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

Items 40 and 41 were pulled for discussion.

42. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the 4th of July Independence Day Celebration, sponsored by the Village at Western Oaks, which is to be held Tuesday, July 4, 2017 at Dick Nichols Park. (Notes: SPONSOR: Council Member Ellen Troxclair CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Ora Houston CO 3: Council Member Jimmy Flannigan CO 4: Council Member Sabino "Pio" Renteria)
The motion approving the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the 4th of July Independence Day Celebration was approved on consent on Council Member Garza's motion, Council Member Houston's second on a 10-0 vote. Council Member Troxclair was absent.

Item 43 was pulled for discussion.

Items 44 through 47 were Executive Session Items.

Items 48 through 51 were Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)

Items 52 through 57 were Zoning and Neighborhood Plan Amendment Items (Public Hearing and Possible Action).

Items 58 through 59 were public hearing items set for 4:00 p.m.

DISCUSSION ITEMS

8. Authorize negotiation and execution of an interlocal agreement with the Capital Metropolitan Transportation Authority for capital improvements made to the bus stop at Austin-Bergstrom International Airport, and to establish the parties' respective responsibilities. (District 2)
The motion authorizing negotiation and execution of an interlocal agreement with the Capital Metropolitan Transportation Authority was approved on Council Member Garza's motion, Council Member Renteria's second on a 9-0 vote. Council Member Houston abstained. Council Member Troxclair was absent.
35. Approve a resolution directing the City Manager to draft a business plan related to establishing a Veterans Resource Center. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Mayor Steve Adler CO 2: Council Member Leslie Pool CO 3: Council Member Sabino "Pio" Renteria)
Resolution No. 20170622-035 was approved on Council Member Kitchen's motion, Council Member Renteria's second on a 10-0 vote. Council Member Troxclair was absent.
3. Approve recommendations of the Electric Utility Commission Resource Planning Working Group for the update to the Austin Energy Resource, Generation and Climate Protection Plan, including long-range planning through 2027.
This item was postponed to August 10, 2017 without objection.

40. Approve a resolution establishing a 2018 Charter Review Commission to align the City Charter with changes to municipal ordinances and to make recommendations on improving other functions of City government. (Notes: SPONSOR: Council Member Leslie Pool CO 1: Mayor Steve Adler CO 2: Council Member Delia Garza CO 3: Council Member Ann Kitchen CO4: Mayor Pro Tem Kathie Tovo)

A motion to approve the resolution was made by Council Member Pool and seconded by Council Member Kitchen.

A friendly amendment to revise item 2 of the Be It Resolved clause by replacing the language “June 22, 2017” and replace it with “August 31, 2017” was made by Council Member Pool. The amendment was accepted without objection.

A friendly amendment to revise item 11 of the Be It Resolved clause was made by Council Member Casar to read: “The scope of the Commission’s work may be expanded by the Council via resolution and the commission may request such an expansion of scope.” The amendment was accepted without objection.

A friendly amendment to include additional language in the resolution was made by Council Member Alter to read: “No person is eligible to serve on the Commission who is registered or is required to register as a lobbyist under Chapter 4-8 (*Regulation of Lobbyists*), or who is employed by a person registered or required to register under that chapter.” The amendment was accepted without objection.

Resolution No. 20170622-040 was approved as amended above on Council Member Pool’s motion, Council Member Kitchen’s second on a 10-0 vote. Council Member Troxclair was absent.

33. Approve a resolution relating to the development of a Ciclovía Open Streets weekend day event on Congress Avenue from 11th Street to Mary Street. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Mayor Steve Adler CO 2: Council Member Ann Kitchen CO 3: Council Member Delia Garza)

Resolution No. 20170622-033 was approved on Mayor Pro Tem Tovo’s motion, Council Member Houston’s second on a 10-0 vote. Council Member Troxclair was absent.

Direction was given to staff to provide Council with cost information for previous Ciclovía Open Street events.

CITIZENS COMMUNICATIONS: GENERAL

Anthony Walker - Capital Metro Board/Public Transportation quality of life.

Mary Owens - TBA.

Rachel Pry - APD funding.

Sylvia Mendoza - Surprise, surprise, surprise.

Pinaki Ghosh - Ebony acres - a neighborhood about to be lost.

Carlos León - 1) God, Jesus Christ, and the Holy Spirit are the Greatest of all time; 2) Chemtrails are the disease, clean air is the cure; 3) Losing your marbles Vol. III, Part 5.

Dr. Barry L. Haymore - Police abuse of the mentally handicapped.

Richard Viktorin - City Manager Marc Ott failure to sign attendance affidavits for the major events reimbursement fund.

Mayor Adler recessed the Council Meeting to go into Executive Session at 12:32 p.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

44. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
Withdrawn without objection.
45. Discuss the lease or acquisition of an interest in real property and improvements located at the southwest corner of Middle Fiskville Road and Highland Mall Boulevard (Real property - Section 551.072 of the Government Code).
Withdrawn without objection.
46. Discuss legal issues related to the lease or acquisition of an interest in real property and improvements located at the southwest corner of Middle Fiskville Road and Highland Mall Boulevard (Private consultation with legal counsel - Section 551.071 of the Government Code).
Withdrawn without objection.
47. Discuss legal issues related to potential amendments to the City's Agreement for Improvement of Cultural Facilities for Public Use Funded With Bond Funds with the Mexic-Arte Museum. (Private consultation with legal counsel - Section 551.071 of the Government Code).

The Mayor announced that Council would discuss item numbers 14 and 41 on the regular agenda during Executive Session.

14. Authorize negotiation of an interlocal agreement with the STATE OF TEXAS, acting by and through the TEXAS FACILITIES COMMISSION, for development of Phase One of the 2016 Texas Capitol Complex Master Plan.
41. Approve a resolution authorizing the City Manager to negotiate and execute amendments to the City's Improvement of Cultural Facilities for Public Use Funded With Bond Funds Agreement with the Mexic-Arte Museum extending the deadline for the expenditure of bond funds. (Notes: SPONSOR: Council Member Sabino "Pio" Renteria CO 1: Council Member Ora Houston CO 2: Council Member Delia Garza CO 3: Council Member Ann Kitchen)

Executive Session ended and Mayor Adler reconvened the meeting at 2:58 p.m.

DISCUSSION ITEMS CONTINUED

15. Authorize negotiation and execution of an interlocal agreement with the University of Texas at Austin's Ray Marshall Center for process development, data collection, and analysis of youth-focused programs in science, technology, engineering, math, creative and entrepreneurship workforce development programs for a total contract amount not to exceed \$100,000.

The motion authorizing negotiation and execution of an interlocal agreement with the University of Texas at Austin's Ray Marshall Center was made by Council Member Houston and seconded by Council Member Renteria.

An amendment to authorize the negotiation of the interlocal agreement and bring the interlocal agreement back to Council to authorize execution of the interlocal agreement failed on Council Member Garza's motion, Council Members Pool's second on a 5-5 vote. Those voting aye were: Mayor Pro Tem Tovo, Council Members Alter, Garza, Kitchen, and Pool. Those voting nay were: Mayor Adler, Council Members Casar, Flannigan, Houston, and Renteria. Council Member Troxclair was absent.

The motion authorizing negotiation and execution of an interlocal agreement with the University of Texas at Austin's Ray Marshall Center was approved on Council Member Houston's motion, Council Member Renteria's second on a 7-3 vote. Those voting aye were: Mayor Adler, Council Members Alter, Casar, Flannigan, Houston, Kitchen, and Renteria. Those voting nay were: Mayor Pro Tem Tovo, Council Members Garza and Pool. Council Member Troxclair was absent.

14. Authorize negotiation of an interlocal agreement with the STATE OF TEXAS, acting by and through the TEXAS FACILITIES COMMISSION, for development of Phase One of the 2016 Texas Capitol Complex Master Plan.

The motion authorizing negotiation of an interlocal agreement with the State of Texas, acting by and through the Texas Facilities Commission, was approved on Council Member Flannigan's motion, Council Member Renteria's second on a 6-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Casar, Flannigan, and Renteria. Those voting nay were: Council Members Houston and Kitchen. Council Members Garza and Pool abstained. Council Member Troxclair was absent.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

48. NPA-2016-0005.03 – 2509 Montopolis Drive - District 3 – Approve second and third reading of an ordinance amending Ordinance No. 20010927-05, the Montopolis Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 2507, 2509, 2511 Montopolis Drive, in addition to adjacent 1.36 acre tract (Country Club East) from Commercial land use to Mixed Use land use. First Reading approved on May 18, 2017. Vote: 10-1 (Mayor Pro Tem Tovo voted nay). Owner/Applicant: John Robert Stratton. City Staff: Maureen Meredith, (512) 974-2695.

Ordinance No. 20170622-048 to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved on Council Member Pool's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

50. C14-2017-0025 - Pompee-Clarke-Cook House - District 9 – Approve second and third reading of an ordinance amending City Code Title 25 by rezoning property locally known as 2203 Nueces Street (Shoal Creek Watershed) from community commercial-mixed use-historic landmark-conditional overlay-neighborhood plan (GR-MU-H-CO-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. First Reading approved on June 15, 2017. Vote 11-0.

Owner/Applicant: 2203 Nueces, L.P. (Brad Zucker). Agent: Mike McHone Real Estate (Mike McHone). City Staff: Scott Grantham, 512-974-3574.

Ordinance No. 20170622-050 for community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning was approved on Council Member Pool's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

51. C14-2017-0032– 5810 Steiner Ranch Blvd- District 6 – Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 5810 Steiner Ranch Blvd (Bear Creek West Watershed) from neighborhood commercial-conditional overlay (LR-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. First Reading approved for community commercial-conditional overlay (GR-CO) combining district zoning. Vote 11-0. Owner/Applicant: MU 13 Investments, LTD (Gerald Kucera) Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.) City Staff: Scott Grantham, 512-974-3574.

Ordinance No. 20170622-051 for community commercial-conditional overlay (GR-CO) combining district zoning was approved on Council Member Pool's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

52. NPA-2016-0016.01 - 3212 E. Cesar Chavez Street – District 3 - Conduct a public hearing and approve an ordinance amending Ordinance No. 20030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 3212 East Cesar Chavez Street and 111 Tillery Street (Colorado River Watershed) from Commercial and Industry to Multifamily and Mixed Use land use. Staff Recommendation: Mixed Use land use on the entire property. Planning Commission Recommendation: To be reviewed on July 20, 2017. Owner/Applicant: Painter Enterprises, a Texas Corporation. Agent: Husch Blackwell (Nikelle Meade). City Staff: Maureen Meredith, 512-974-2695.

This item was postponed to August 3, 2017 at the request of staff on Council Member Pool's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

53. C14-2016-0079 - 3212 E. Cesar Chavez Street – District 3 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3212 East Cesar Chavez Street and 111 Tillery Street (Colorado River Watershed) from limited industrial-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning and general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation: To grant multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district. Planning Commission Recommendation: To be reviewed July 11, 2017. Owner: Painter Enterprises Inc. (Donald E. Painter). Applicant: Husch Blackwell LLP (Nikelle Meade). City Staff: Heather Chaffin, 512- 974-2122.

This item was postponed to August 3, 2017 at the request of staff on Council Member Pool's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

54. C14-2017-0033 – 9501 Stonebridge Drive - District 4 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 9501 Stonebridge Drive (Little Walnut Creek Watershed) from limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district zoning to limited office-neighborhood plan (LO-NP) combining district zoning. Staff Recommendation: To grant limited office-neighborhood plan (LO-NP) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office-neighborhood plan (LO-NP) combining district zoning. Owner/Applicant: David and Reyna Lippincott. City Staff: Sherri Sirwaitis, 512-974-3057.
This item was postponed to August 3, 2017 at the request of the neighborhood on Council Member Pool's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.
55. C14-88-0129(RCT) – Stonebridge Drive - District 4 - Conduct a public hearing to terminate a public restrictive covenant on a property locally known as 9501 Stonebridge Drive (Little Walnut Creek Watershed). Staff Recommendation: To grant the restrictive covenant termination. Zoning and Platting Commission Recommendation: To grant the restrictive covenant termination. Owner/Applicant: David and Reyna Lippincott. City Staff: Sherri Sirwaitis, 512-974-3057.
This item was postponed to August 3, 2017 at the request of the neighborhood on Council Member Pool's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.

DISCUSSION ITEMS CONTINUED

30. Authorize negotiation and execution of a 36-month contract with EMPLOYEE OWNED NURSERY ENTERPRISES, LTD DBA ORGANICS "BY GOSH", to provide organics processing services, in an estimated amount of \$1,510,000, with three 12-month extension options in an estimated amount of \$940,000 for the first option, \$950,000 for the second option, and \$960,000 for the third option, for a total contract amount not to exceed \$4,360,000. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)
A motion to direct staff to negotiate a contract with Employee Owned Nursery Enterprises, LTD doing business as Organics "By Gosh" and to come back to Council in August to authorize execution of the contract was made on Council Member Pool's motion and seconded by Council Member Kitchen.

An amendment to authorize negotiation and execution of a 36-month contract with execution of any extension option requiring Council approval was approved on Council Member Flannigan's motion, Council Member Renteria's second on an 8-1 vote. Mayor Adler voted nay. Council Member Kitchen abstained. Council Member Troxclair was absent.

The motion authorizing negotiation and execution of a contract with Employee Owned Nursery Enterprises, LTD doing business as Organics "By Gosh" as amended above was approved on Council Member Pool's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Troxclair was absent.
41. Approve a resolution authorizing the City Manager to negotiate and execute amendments to the City's Improvement of Cultural Facilities for Public Use Funded With Bond Funds Agreement with the Mexic-Arte Museum extending the deadline for the expenditure of bond funds. (Notes:

SPONSOR: Council Member Sabino "Pio" Renteria CO 1: Council Member Ora Houston CO 2: Council Member Delia Garza CO 3: Council Member Ann Kitchen)

A motion to approve the resolution for an eighteen-month extension was made by Council Member Renteria and seconded by Mayor Adler.

A friendly amendment was made by Mayor Pro Tem Tovo to revise the last Be It Further Resolved clause to read: "The City Manager is directed to negotiate and execute any necessary amendments to the Bond Funds Agreement between the City and Museum that extend the deadline for the expenditure of bond funds necessary for the maintenance and renovation of the existing structure on 419 Congress Avenue." The amendment was accepted without objection.

Resolution No. 20170622-041 was approved as amended above on Council Member Renteria's motion, Mayor Adler's second on a 10-0 vote. Council Member Troxclair was absent.

PUBLIC HEARINGS

59. Conduct a public hearing and consider an ordinance regarding a floodplain variance for the construction of a church building and associated parking at 7604 FM 969 as requested by the owner of the property. The property is partially in the 25-year and 100-year floodplains of Walnut Creek. (District 1).

This item was postponed to August 3, 2017 at the request of the applicant on Council Member Houston's motion, Council Member Pool's second on a 10-0 vote. Council Member Troxclair was absent.

Mayor Adler recessed the meeting at 5:40 p.m.

LIVE MUSIC

Bidi Bidi Banda

PROCLAMATIONS

Proclamation – Boyd Vance Day – To be presented by Council Member Ora Houston and to be accepted by Glen and Booker Vance

Proclamation – ABIA Food Rescue Program – To be presented by Council Member Delia Garza and to be accepted by B.J. Carpenter, Aviation Department

Proclamation – Water Conservation – To be presented by Mayor Steve Adler

Proclamation – Public Service Recognition Day – To be presented by Mayor Steve Adler and to be accepted by Interim City Manager Elaine Hart, with Certificates of Appreciation presented to nominated employees of City departments

Certificate of Appreciations were accepted by:

Department

Animal Services Office
Austin Code Department
Austin Energy
Austin Resource Recovery

Employee

Luis Herrera
James Paxton
Jim Collins
Samuel Gilbert

Austin Water Utility	Patricia Genty-Andrade
Aviation	Leroy Hargrove
Building Services	Julie Strickland
Capital Contracting Office	Sarah Torchin
Capital Planning	Sarah Behunek
City Auditor	Nathan Wiebe
City Clerk	Kathryn Darnall
Controller's Office	Kim Euresti
Community Court	Robert Hanley
Convention Center	Felicia Ojeda
Development Services Department	Daniel Word
Economic Development Department	Jesus Pantel
Emergency Medical Services	William (Bill) Alderete
Fire	Ralph Villela
Fleet Services	Adrian Alejo
Health and Human Services	Ruth Dalrymple
Human Resources	Debra Dollins
Innovation Office	Katherine Duong
Law	Chris Ledel
Library	Mary Ancira
Management Services	Jason Garza
Municipal Court	Charles Garcia
Neighborhood Housing & Community Development	David Potter
Office of Emergency Management	Angel Flores
Office of Performance Management	Jill Goodman
Office of Real Estate Services	Roxanne Campos
Parks and Recreation	Rey Hernandez
Planning and Zoning Department	Katie Mulholland
Police	Justin Newsom
Purchasing	Mike Zambrano
Public Information Office	Bryce Bencivengo
Public Works	John Eastman
Small and Minority Business Resources	Jessica Oberembt
Sustainability	Edwin Marty
Telecommunications and Regulatory Affairs	Orsi Sargent
Transportation	Emily Smith
Watershed Protection Department	Pamela Kearfott

Mayor Adler reconvened the meeting at 7:11 p.m.

DISCUSSION ITEMS CONTINUED

43. Approve a resolution reflecting changes to the review process for adoption of a new Land Development Code, commonly referred to as CodeNext, to provide for additional drafts and commission review. (Notes: SPONSOR: Council Member Alison Alter CO 1: Mayor Steve Adler CO 2: Council Member Leslie Pool CO 3: Council Member Ann Kitchen CO 4: Mayor Pro Tem Kathie Tovo)

A motion to approve the resolution with the following amendments was made by Council Member Alter and seconded by Mayor Pro Tem Tovo. The amendments were as follows:

To revise item 3 of the Be It Resolved Clause to read:

The CodeNEXT team shall then generate a 3rd draft of the proposed land development code and zoning map. The 3rd draft shall incorporate changes recommended by City staff based upon the commissions' input on the 2nd draft. Any differing recommendations made by the commissions between the 2nd and 3rd draft shall be annotated within the 3rd draft and included within an accompanying addendum. The 3rd draft shall be presented for review and recommendations by the Planning Commission and the Zoning and Platting Commission by January 11, 2018.

To revise item 4 of the Be It Resolved Clause to read:

The 3rd draft of the proposed land development code and zoning map shall be presented to City Council for first reading by February 8, 2018, with any differing recommendations made by the Planning Commission and the Zoning and Platting Commission noted within the draft and included within an accompanying addendum.

An amendment was made by Council Member Flannigan to revise the first paragraph of the Be It Further Resolved Clause replacing "to revise their timelines" with "to revise their project process". The amendment was accepted without objection.

An amendment was made by Council Member Casar and seconded by Mayor Adler to add a new item 4 to the Be It Resolved clause and renumber the remaining sections. The new item 4 is to read:

As is laid out in the City Charter, the Planning Commission is the only commission that must vote on the third draft before its presentation to Council". This amendment was later withdrawn.

An amendment was made by Council Member Alter to add a new item 4 to the Be It Resolved clause and renumber the remaining sections. The new item 4 is to read:

The Charter requires the Planning Commission to review and make recommendations to the City Council on all proposals to adopt or amend land development regulations. The amendment was accepted without objection.

Resolution No. 20170622-043 was approved as amended above on Council Member Alter's motion, Mayor Pro Tem Tovo' second on an 8-0 vote. Council Members Kitchen and Renteria were off the dais. Council Member Troxclair was absent. Council Member Kitchen was off the dais but later requested the record show her support of the item.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS CONTINUED

Items 56 and 57 were acted on in one combined motion.

56. C14H-2017-0038 – Pennybacker-Alexander House - District 9 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 811 E. 38th Street from single family residence-standard lot-conditional overlay-neighborhood plan (SF-2-CO-NP) combining district zoning to single family residence-standard lot - historic landmark - conditional overlay-neighborhood plan (SF-2-H-CO-NP) combining district zoning. Staff Recommendation: To grant single family residence-standard lot - historic landmark - conditional overlay-neighborhood plan (SF-2-H-CO-NP) combining district zoning. Historic Landmark Commission Recommendation: To single family residence-standard lot - historic landmark - conditional overlay-neighborhood plan (SF-2-H-CO-NP) combining district zoning. Planning Commission Recommendation: To grant single family residence-standard lot - historic landmark

- conditional overlay-neighborhood plan (SF-2-H-CO-NP) combining district zoning. Applicant: Phoebe Allen, agent for Alexander M. Davern, owner. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454.

A motion to divide the question was made by Council Member Flannigan.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for single family residence-standard lot - historic landmark - conditional overlay-neighborhood plan (SF-2-H-CO-NP) combining district zoning was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 7-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Garza, Houston, Kitchen, and Pool. Those voting nay were: Council Members Casar and Flannigan. Council Renteria was off the dais. Council Member Troxclair was absent.

57. C14H-2017-0039 – Carrington Bluff – District 9 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1900 David Street from family residence-conditional overlay-neighborhood plan (SF-3-CO-NP) combining district zoning to family residence- historic landmark - conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning. Staff Recommendation: To grant family residence- historic landmark - conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence- historic landmark - conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning. Planning Commission Recommendation: To grant family residence- historic landmark - conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning. Applicant: Phoebe Allen, agent for Old West 19th, Ltd., owners. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for family residence- historic landmark - conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district zoning was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on an 8-1 vote. Council Member Flannigan voted nay. Council Member Renteria was off the dais. Council Member Troxclair was absent.

49. C14-2016-0113 - 2509 Montopolis - District 3 - Approve second and third reading of an ordinance amending City Code Title 25 by rezoning property locally known as 2507, 2509 & 2511 Montopolis Drive (West Country Club and Carson Creek Watersheds) from general commercial services - neighborhood plan (CS-NP) combining district zoning to general commercial services - mixed use - conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. First Reading approved May 18, 2017. Agent: Drenner Group (Leah Bojo). Owner: John Robert Stratford. City Staff: Andrew Moore, 512-974-7604.

Ordinance No. 20170622-049 for general commercial services - mixed use - conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning was approved on Council Member Pool's motion, Council Member Garza's second on a 7-2 vote. Those voting aye were: Mayor Adler, Council Members Alter, Casar, Flannigan, Garza, Kitchen, and Pool. Those voting nay were: Mayor Pro Tem Tovo and Council Member Houston. Council Member Renteria was off the dais. Council Member Troxclair was absent.

PUBLIC HEARINGS

58. Conduct a public hearing and consider an ordinance authorizing execution of an agreement with Austin Independent School District establishing site development standards for redevelopment of

Bowie High School, located at 4103 W. Slaughter Lane; and granting approval for redevelopment of Bowie High School (This action concerns land located within the Barton Springs Zone).

A motion to approve the ordinance with the following amendments was made by Council Member Pool and seconded by Mayor Pro Tem Tovo. The amendments were accepted without objection.

To revise the first paragraph to read:

An ordinance authorizing execution of an agreement between the City of Austin and Austin Independent School District establishing site development standards for the redevelopment of Bowie High School and impervious cover transfer; waiving City Code Section 25-8-483; and granting approval for redevelopment as required by City Code subsection 25-8-26(F).

To add a new Part 2 to read:

Council waives the prohibition of transfers in the Barton Springs Zone in City Code Section 25-8-483 (*Transfer of Development Intensity*)."

To add a new Part 3 to read:

Council waives the requirement in 25-1-21 (104) to allow the Bowie High School redevelopment site to include the Bowie practice fields located across a public street or right of way.

To renumber the remaining sections.

To revise the header of Exhibit A to read:

Agreement between the City of Austin and the Austin Independent School District establishing site development standards for redevelopment of Bowie High School and impervious cover transfers

To revise the first paragraph of Exhibit A to read:

This agreement establishing site development standards for redevelopment of Bowie High School and an impervious cover transfer process for redevelopment of Bowie High School ("Agreement") is made and entered into by and between the City of Austin, Texas, a home-rule city and Municipal Corporation in Travis County, Texas ("City"), and the Austin Independent School District ("AISD") under the provisions of the Local Government Code, Section 212.902.

To revise the third whereas clause of Exhibit A to read:

Whereas, AISD intends to increase capacity of Bowie High School located at 4103 W. Slaughter Lane, rather than build a new high school campus in the environmentally sensitive Barton Springs Zone; and

To revise the fourth Whereas clause of Exhibit A by combining the fourth and the original fifth clauses together to read:

Whereas, the City has an interest in assisting AISD in serving students at the existing Bowie High School while enhancing water quality protections serving Bowie High School; and

To revise the now fifth Whereas clause of Exhibit A to read:

Whereas, a team of City staff and AISD staff have reviewed the potential for redevelopment of Bowie High School and have recommended that the redevelopment be subject to the site development standards set forth in this Agreement; and

To revise the now sixth Whereas clause of Exhibit A to read:

Whereas, the City Council approved the redevelopment of Bowie High School as required by City Code Subsection 25-8-26 (F); and

To add a new seventh Whereas clause of Exhibit A to read:

WHEREAS, the City and AISD have an interest in providing for transfer of impervious cover for redevelopment of Bowie High School;

To revise Article I – Regulations, Generally to read:

The Bowie High School redevelopment site (“Bowie Site”) is subject to the site development standards established in Articles II and III of this Agreement, the School District Land Development Standards Agreement, as amended from time to time, ordinances specifically applicable to the Bowie Site, and the City of Austin Land Development Code (“City Code”) to the extent applicable in accordance with the School District Land Development Standards Agreement. Except as provided in Articles II and III of this Agreement and the School District Land Development Standards Agreement, redevelopment of the Bowie Site shall comply with the requirements of the City Code. If a conflict exists between this Agreement and the School District Land Development Standards Agreement, ordinances specifically applicable to the Bowie Site, or the City Code, this Agreement controls. AISD may seek variances to City Code requirements for development or redevelopment of Bowie High School as provided under City Code.

To revise Article II header to read:

Article II – Site Specific Regulations for Bowie High School

To add item 5 to Article II to read:

AISD shall acquire sufficient property adjacent to the Bowie Site and use transfers of impervious cover under Article III of this Agreement to result in total impervious cover for the Bowie Site of 25% or less on a net site basis, excluding any net site area previously allocated to other development.

To add a new Article III to read and renumber remaining articles as appropriate:

Article III – Impervious Cover Transfer Process

AISD and the City agree to the transfer of impervious cover credit to the Bowie Site as established in this Article.

1. The tract from which impervious cover shall be transferred (the “Transferring Tract”) is more particularly described as follows:
 - Lot 60 in Block 6 of Trailwood Village Two at Travis Country, a subdivision in Travis County, Texas according to the map or plat thereof, recorded in Volume 76, Pages 393-395 of the Plat Records of Travis County, Texas.
2. The impervious cover credits eligible for transfer from the Transferring Tract will be calculated based on the allowable impervious cover under the School District Land Development Standards Agreement.
3. The Transferring Tract shall be restricted to prohibit development on the tract in a manner acceptable to the City, which may include a conservation easement, restrictive covenant, or similar instrument.
4. The impervious cover from the Transferring Tract may be used by AISD for redevelopment of the Bowie Site and to meet the requirements of this Agreement.

- 5. Impervious cover from the Transferring Tract not used for redevelopment of the Bowie Site may be used only for redevelopment of other AISD school campuses as specified in a separate agreement between the City and AISD.**

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20170622-058 as amended above was approved on Council Member Pool's motion, Mayor Pro Tem Tovo's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Troxclair was absent.

Direction was given to staff to work with AISD to provide Council with a list of portable buildings located on AISD property. Further direction was given to staff to set a public hearing for August 31, 2017.

Mayor Adler adjourned the meeting at 8:11 p.m. without objection.

The minutes were approved on this the 3rd day of August 2017 on Council Member Kitchen's motion, Council Member Alter's second on an 11-0 vote.